

Appln No. 10/587,194
Amdt date February 3, 2010
Reply to Office action of August 3, 2009

REMARKS/ARGUMENTS

Claims 1-15 and 17-18 are now pending in this application, of which Claims 1, 15 and 17 are independent. Claims 1, 15 and 17 have been amended. Claims 16 and 19 have been canceled. The Applicant respectfully requests reconsideration and allowance of the application in view of the amendment and the following remarks.

Claims Rejected Under 35 U.S.C. §§ 102 and 103

Claims 1, 3-4, 6-7 and 11 are rejected as being fully anticipated by Scott 5,935,733 2003/0186131. Claim 1-7, 9-11 and 16 are rejected as being obvious over Enloe 2003/0186131, in view of Tejnli 2004/0200572. Claim 8 is rejected as being obvious over Enloe in view of Tejnli and further in view of Klebanoff 6,492,067. Claim 13 is rejected as being obvious over Enloe in view of Tejnli, and further in view of Levinson 6,623,893. Claim 18 is rejected as being obvious over Enloe in view of Tejnli and further in view of Levinson and Angelopoulos 2002/0012876.

Initially, the Applicant thanks the Examiner for his careful study of the claims in this case, and for taking the time for a telephone interview on January 25, 2010. During the telephone interview, the Applicant's attorney and the Examiner discussed the claim rejections under 35 USC § 102 and the Scott reference and the claim rejections under 35 USC § 103 and the Enloe reference combined with the Tejnli reference. Also, as indicated in the unofficial Interview Summary, "Figure 7 of the present application ... showed supports [or pillars are provided] throughout the pattern area, and the Examiner agreed that ENLOE does not teach supports within the patterning region, but only at the peripheral. Figure 5 was also discussed with forming channels in the protective structure."

In view of the above and in order to expedite allowance of the allowable subject matter, the Applicant has amended Claims 1, 15 and 17, without disclaimer and without prejudice.

More specifically, Claim 1 has been amended to incorporate the recitations of previous Claim 16 with the additional limitation of "the pillars (PS) contacting at least one of the patterns (MF)" as discussed with the Examiner on January 25, 2010. In addition, Claim 16 has been canceled.

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Claim 15 has been amended to independent form to incorporate the recitations of previous Claim 1 with the additional limitation of "at least one of the patterns (MF) being accessible to the channels."

Claim 17 has been amended to independent form to incorporate the recitations of previous Claim 1 with the additional limitation of "the nanotubes contacting at least one of the patterns (MF)." In addition, Claim 17 has been amended to now recite that the nanotubes are oriented to extend along a selected direction substantially normal (N) to the front face of the reflective structure (SMR).

As such, Claims 1, 15 and 17 should be allowable over the cited references. That is, in combinations with the other limitation recited in Claims 1, 15 and 17, the cited references do not disclose or suggest the pillars (PS) or nanotubes contacting at least one of the patterns (MF) or at least one of the patterns (MF) being accessible to the channels as are now recited in Claims 1, 15 and 17. In addition, Claim 17 has been amended to also now recite that the nanotubes are oriented to extend along a selected direction substantially normal (N) to the front face of the reflective structure (SMR) to further distinguish this claim embodiment from the cited references. By way of example, "ENLOE does not teach supports within the patterning region, but only at the peripheral."

Dependent Claims 2-14 and 18 depend (directly or indirectly) from Claim 1. As such, these dependent claims incorporate all of the terms and limitations of Claim 1 in addition to other limitations, which together further patentably distinguish them over the cited references. As such, these dependent claims should now be allowable.


The Examiner's withdrawn Claim 19 has been canceled herein without prejudice and without disclaimer to expedite allowance.

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Concluding Remarks

In view of the foregoing amendments and remarks, the Applicant respectfully requests an early issuance of a patent with Claims 1-15 and 17-18. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicants' attorney at the number listed below.

Respectfully submitted,
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